

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JANELLE M. HAYES MCALPINE,

Plaintiff,

v.

MICHAEL J. ASTRUE, COMMISSIONER  
OF SOCIAL SECURITY,

Defendant.

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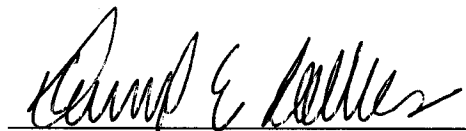
Civil Action No. 10-0817  
CONSENT ORDER TO  
REMAND PURSUANT TO  
SENTENCE 6 OF  
42 U.S.C. § 405(g)

This matter having been opened to the Court by RICHARD S. HARTUNIAN, United States Attorney for the Northern District of New York, and KAREN T. CALLAHAN, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence six of 42 U.S.C. § 405(g) so that further administrative action may be taken; including vacating the Appeals Council's denial of Plaintiff's request for review and allowing Plaintiff's counsel an opportunity to submit to the Appeals Council additional evidence and/or contentions, and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this            day of November 2010;

ORDERED that this action is remanded to the Commissioner of Social Security, pursuant to sentence six of 42 U.S.C. § 405(g) for the Defendant to take further administrative action.

IT IS SO ORDERED:



David E. Peebles  
U.S. Magistrate Judge

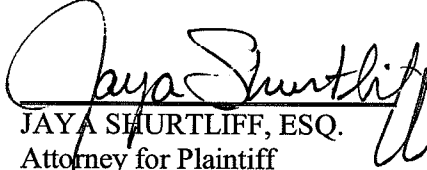
\_\_\_\_\_  
Judge

Dated: November 5, 2010

The undersigned hereby consent to the form and entry of the within order.

RICHARD S. HARTUNIAN  
United States Attorney

By: karen t. callahan  
KAREN T. CALLAHAN  
Special Assistant U.S. Attorney  
Bar No.513794

By:   
JAYA SHURTLIFF, ESQ.  
Attorney for Plaintiff